STRICTURES

ON

A PAMPHLET, &c.

BRITISH MUSEUM

STRICTURES

ON

A Pamphlet lately published,

ENTITLED,

"*Conſiderations ſubmitted to the People of Ireland, in Anſwer to a Pamphlet, entitled, Obſervations on the Mutiny-bill.*

K. Ireland. George III., King

An army will as readily levy contributions in their native, as in an enemy's country.

Conſiderations, &c. p. 24.

Eheu
Quam temere in noſmet legem ſancimus iniquam!

Hor.

Numina nulla premunt; mortali urgemur ab hoſte
Mortales; totidem nobis, animæque manuſque.

Virg.

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M,DCC,LXXXI.

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CONVINCED, my countrymen, that to a nation wakened by the ſmart of injury,—to a people rouzed by a ſenſe of inſult,—to Iriſhmen engaged in a virtuous conteſt, every effort to ſecure their liberty, by confirming their vigilance, muſt be acceptable: I am bold ſtill to add to the volume of information, and contribute, feeble but honeſt labours, to ſhield your privileges, and protect your rights.

The retroſpect of perils encountered with ſucceſs is conſolation: the contraſt

of your late ignoble ſituation with your preſent proſpects muſt animate; and a view of the difficulties that ſtill await, and the dangers ye muſt yet encounter, may inſure that caution which will preſerve inviolate your greatneſs, and elevate your country to the nobleſt dignity.

Moderation, my countrymen, has hitherto been your genius; ſoothed by her zephyr councils, ye have avoided an extravagance of zeal, the concomitant of proſperity, and ſurrounded by all the perilous irregularity in which a juſtification of rights and aſſertion of liberty are uſually involved, your diſpoſition has been ſteady, your temper cool, diſpaſſionate, yet firm, and your eventual conduct has preſented a phænomenon, the moſt ſingular and ſtriking which record can produce: Great Britain was confounded,—the univerſe applauded,—and nations beheld with aſtoniſhed pleaſure a kingdom prudent in her virtuous ſtruggles.

This

This has your moderation accompliſhed, and more will ſhe yet obtain for you. "*Eſt aliquid prodire tenus, ſi non datur ultra.*"

But, my countrymen, beware; fallacy hath already put forth its decoying lamp: I ſee a phantom, ſpecious, and unſubſtantial, with inſinuating mien, and aptly likened garb, purſue your guardian divinity, and attend her footſteps. How aſſimulating! how diſſembling! its voice allures; its embraces ruin; in its ſpacious train ſtalk diſcord, ſtrife, revenge, and faction; theſe, with a veil impervious to the eyes of weakneſs, it conceals, while blazoned with alluring pomp, decked with enticing ſmiles, courteous and ſubmiſſive, the incautious are attracted, the imprudent enſnared, and the inglorious admirer embraced to deſtruction. Beware, my countrymen, leſt while your moderation is applauded, as confirming your rights, your caution be ſtolen from you by inſinuating art: Beware leſt thoſe principles which

ſervile

ſervile and unworthy, yet exhibited to you as moderate, gain an aſcendant; guard againſt the degeneracy of man; aſſert a freedom of thought; and ſhun, oh! wiſely ſhun the tergiverſe aſſertions of abject apoſtacy.

Having premiſed as neceſſary theſe few hints, I ſhall proceed upon my ſubject. A Stricture on a Pamphlet, entitled, Conſiderations ſubmitted to the People of Ireland, &c. Its author ſeems perfectly qualified to inſtil the doctrines it holds forth, by that temperature of argument which is calculated inſenſibly to lead aſtray, or lull its inanimate peruſer into the indolence of ſubmiſſion; it may ſoften the determined virtue of the reſolute, compel the neutral to aſſume an active character, and confirm the timid or unſettled amongſt us, in the adoption of conduct, the reverſe of honour, inimical to virtue, and totally oppoſite to public welfare. To warn my countrymen is my purpoſe, to be moderate my intention; but I entreat

treat you ſuffer not your moderation to degenerate into the meanneſs of condeſcenſion, or the importance of your equitable claim to be loſt in the abject timidity of demand: ye have rights, aſſert them; ye would not be ſlaves, dare to be free: The cauſe is glorious, the opportunity propitious: be ſwift to embrace, be virtuous to improve it.

The protection of Great Britain, and our alliance with that kingdom, are certainly objects of high importance, and national intereſt, *if founded on principles of mutual good, and reciprocal advantage*; and ſo far will I agree with the author, that an Iriſh revolution or enmity with Great Britain, would, at the preſent juncture, be highly inexpedient, and is, I truſt, moſt diſtant from the ideas of my countrymen.* The efforts of a late ſeemingly ſincere patriotic writer, to reconcile the minds of the people

* See Guatimozin's Letters, particularly Let. 3, and the following.

people to a meaſure now deemed ſo ruinous and deſtructive, I hope are diſcarded as fallacious, and reprobated with the warmth of becoming cenſure. Whatever tends, therefore, to remove the protection, or excite the "active" enmity of Great Britain, muſt be pernicious; it merits the reprobation of the community, and the hearty diſguſt of every friend to his country: But can the author ſtyle the ſubject of his animadverſion, a publication calculated for that purpoſe? Shall the ſpirited vigilance of the greateſt ornament to his country receive the epithet of ſedition? Or genial zeal be interpreted fanaticiſm and diſloyalty? Speak, ye, whoſe breaſts beat high with gratitude for his generous labour; with affection towards your country, and fidelity to your king. Let us rather attribute the ungenerous imputation to a ſarcaſtic zeal, or account for the petulance of criticiſm from the paroxyſm of envy, or unremitting rancour of venal ability.

"*But*

"*But the honour and credit of the Iriſh nation, in point of loyalty and gratitude, are at ſtake.*" The loyalty of ſubjects to their ſovereign, is a duty which I beg leave to enforce by every argument that can make it important: 'tis the mandate of the Deity, and enjoined by reaſons drawn from the well being of ſociety, and authority of divine law: and 'tis with almoſt a pleaſing fanaticiſm I reflect, that Ireland's fidelity has ever been untainted;—may it never be deficient.—But gratitude towards a NATION, loſt to every ſenſe of honour,—deſtitute of generoſity,—and dead to virtue;—for a right, extorted by neceſſity,—wreſted from it by apprehenſion,—and obtained as a right, is a return only to be made for the flowing of liberality, the tender of ſpontaneous kindneſs, or the relieving boon of affectionate pity. "*And when I recollect, the* unfortunately *comprehenſive*, and diſhonourably *ſucceſsful manner, in which our concerns were managed in the laſt ſeſſions of the Britiſh parliament, by one of the* ABLEST, *and certainly one of the moſt* LIBE-

RAL

BAD *and* VIRTUOUS *Miniſters Great Britain has ever been bleſt with; and when I perceive the deareſt intereſts of this nation, miſrepreſented by an apoſtate, to ſerve the purpoſes of* corruption, *I cannot repreſs the effuſions of my indignation.*"*

I entreat you, my countrymen, as ye value the object for which ye have nobly contended; as ye eſtimate the prize which ye ſtill gloriouſly purſue; as the privileges of poſterity are dear to you, and as ye are bound to ſupport your country's rights, ſuffer not your virtue to be infected by the poiſon of colluſive deception; let not the miſrepreſentations of intereſted treachery divert you from your purpoſe, but as ye know your ſituation, prepare againſt its dangers. Your "*facility*" is a dangerous credulity—be ſelf-determined.

After drawing a picture of the origin of government, and beſtowing the eulogium

* See Conſiderations, &c. p. 6.

of "divine origin" on the British constitution, the author observes, that the confidence which was implied on its formation, between the governors and subjects, seems totally forgot, and by artful insinuation endeavours to draw forth your confidence to the British minister, and excite your compassion and pity, for him "*unfairly dealt with, and least protected by the laws or constitution.*" But are you not sensible, my countrymen, that if your confidence has been withheld, 'twas because 'twould have been unseasonable to grant it? Had we ground for confidence in him whose measures were odious to the nation? Could we trust him, or place security in his conduct, whose councils would have fettered the new world, and whose "*abilities and virtues*" have crushed the Mother Country? Is he not greatly protected? Is he not alive?

Indeed the inconsistency which pervades this insinuation, from first to last, is a demonstration, that the author's sentiments upon the occasion were not "*concentered*"

For ſpeaking of government, it ſays, he "*extends protection, and diſtributes juſtice with* UNERRING EQUALITY *to* ALL *the ſubjects of the ſtate.—They alone who adminiſter our government, ſeem doomed to perſecution, and of all perſons in the realm, enjoy leaſt the protection of the conſtitution. The miniſter of England is, perhaps, the man in the kingdom leaſt benefited by its freedom, and is certainly the only man you may traduce with impunity. Like the Eunuch, &c.*"* By this poſition it follows, that either miniſters are not ſubjects of the realm, (for then they would enjoy protection, unerringly equal,) or the gentleman's aſſertion, that government diſtributes protection with unerring equality, is a groundleſs fiction. His ſimile is not leſs abſurd. An expert operator he has quickly emaſculated the miniſter, and placed him an eunuch in all the allurements of a ſeraglio, and in the extenſive ſcene of fruition, yet unaccountably tells us he is the only perſon incapable of enjoyment. He

* See Pamphlet, p. 11.

(He would have acted better, if he had not perverted the application of the ſimile, but delivered it in the expreſſive and elegant ſignification of its author.)* Nor is he leſs ſtrangely inaccurate in the application of the term, Grand Seignior,—deſpotic power, to repreſent the people a democratic government. Need I comment upon this extenſive ſcene of blunders, or recapitulate each error to confirm your cenſure? No, my countrymen, my motive is to warn and undeceive; to tear fallacy from the altar of moderation, where it has retired as an aſſylum, and devote it a ſacrifice to your judgment, a demanded victim to your juſt indignation. I ſhall now more ſeriouſly conſider the gentleman's reaſoning with reſpect to the "*unfairly dealt-with miniſter.*"

'Tis a maxim of our conſtitution, "the King can do no wrong:" His perſon is juſtly deemed ſacred. But, my countrymen, it does not follow, no wrong can be done.

* Blackſtone's Commentaries, vol. i. c. xiii. p. 416. or ſee the paſſage near the end of this pamphlet.

done. The conſtitution has wiſely guarded againſt the miſdemeanor of power, by the puniſhment of the miniſter: For "as a king cannot miſuſe his power, without the advice of evil counſellors, and the aſſiſtance of wicked miniſters, theſe men may be examined, and puniſhed; the conſtitution has therefore provided indictments, and parliamentary impeachments."* And the ſagacious Monteſquieu, in language exactly ſimilar, has expreſſed the ſame thing: "But as the perſon entruſted with the executive power cannot abuſe it without bad counſellors, and ſuch as hate the laws as miniſters, though the laws protect them as ſubjects, theſe men may be examined and puniſhed."† How then is the miniſter unjuſtly treated, if when the conſtitution is in peril, but particularly in that grand climacteric of danger, in which the gentleman now ſuppoſes it, if his conduct, the ſource of our misfortunes, is only ſcrutinized, when the law of the conſtitution

on

* Blackſtone's Comment. vol. i. c. vii. p. 245.

† Spirit of Laws, book xi. c. 6. p. 207.

on awards punishment as his desert. "*A time will come, in which an opposition to the efforts of government, essential perhaps in general to the preservation of our constitution, will be considered by virtuous men as a state crime; the public will judge between him and me whether or no that period be now arrived.*"* Let me unfold this a little: The awful period, my countrymen, is now arrived, in which all considerations of domestic political concern must be suspended; the danger that awaits, and the destruction that encompasses, make our situation critically hazardous, and eminently fatal. Yet, if the conduct of the minister, that "Arcanum Imperii," the source of all these evils, be investigated or opposed, it will be considered by virtuous men as a state crime, and rewarded, if not by punishment, with the debasing epithet of factious discord. This is his meaning; I have not added or detracted. But, my countrymen, judge ye, If the conduct of the minister has thus circumstanced us, where is our relief?—In the in-

* Pamphlet, p. 5.

inveſtigation of his conduct, and removing him from office?—But this is oppoſition.—'Tis defence, juſtified by the exigency of the time, and enforced by nature, prudence, and our right. The more dangerous our ſituation, the greater the neceſſity for oppoſition, to meaſures which are the cauſe of it; and I know no period in which it can be deemed a ſtate crime, except when the virtue of the miniſter is adequate to his ſtation, and the prudence of his council not inferior to our circumſtance. "*Our country gentlemen have unkenneled a fox, but he has earthed deep, and to preſerve the farmer's poultry, we muſt dig him out.*"

"*I do not wiſh to lull the people into a political lethargy.*"* By ſcreening the miniſter's conduct you have left us nothing to do but to ſleep: and politically, finding your patient *reſtleſs*, like a *profeſſional phyſician*, you have adminiſtered opiate in quantity, and endeavoured to ſtill the acuteneſs of the malady, by the ſomniferous efficacy

* See Pamphlet, p. 12.

cacy of *preſcription*. For the political, like the natural conſtitution, is liable to the invaſion of infirmity, and nothing is more refreſhing than a little gentle ſleep.

I muſt confeſs, my fears for the conſtitution are greatly remote;—let us not fall into deſpondency to accelerate ruin: The principle which ſeems the boaſt of our conſtitution, will never, I hope, prove the diſſolution of our government:—The ſtorm is indeed rank,—the ſea ungovernable and impetuous, and tho' the political veſſel is almoſt overſet, and ſinking, cool reſolution, and prudent fortitude, may ſoon adjuſt her: The maſts hinder her from righting;—'tis better to cut away an obſtruction, tho' of value, than attempt a preſervation, that muſt prove our ruin.

The author's compariſon* between the influence of juvenile heat, and the cool impotent debility of age, is certainly ſtriking; his motive for here introducing it is avowedly

* See Pamphlet, p. 15, 16, and 17.

avowedly artful, but by an happy inconſiſtency, it overturns the reaſoning he wiſhes to confirm: For however virulent the oppoſition of the young ſenator may be to the meaſures of government, "time, and a *certain ſatiety*," make him at laſt a ſilent *voter* for adminiſtration; and while the impetuous fire of ardent youth labours to draw the ſtate machine with too precipitate a pace, the deadened weight of ſatiated age hangs tardy on the wheel, and moderates its motion by a "ſilent" check. So that the political, like a diſturbed ballance, equally vibrating with unſettled motion, gradually diminiſhing as it moves, returns at laſt to equilibrium, and *reſts* by the equality of its oppoſing powers. Or perhaps the author's motive for here introducing this "*preliminary reflection*," may have proceeded from a deſire to relieve ſome inconſolable friend, who, conſidering himſelf in the exact ſituation, ("*of being a reproach, in his old age, to government*,") is almoſt deſperate from the *pang of feeling*, and diſguſted that "*corruption and avarice, the characteriſtic features of old*

old age," ſhould be applied to him, refuſes to intetmeddle more with the ſtate machine, and determines, to "*hang at laſt a deadening weight upon it.*"

Thus far have I followed the gentleman in his introductory ſentiments, and if railery has been introduced, I hope I ſhall meet an apology in the breaſts of my readers, particularly, as the inconſiſtencies I have ſtrictured, ſeemed rather to require the laſh of ſatire, as they were inferior to the reproof of ſerious reprehenſion.

*Having firſt viewed the fortification, I ſhall now open the trenches,** and prepare to aſſault this pamphlet in form. The ſubject, my countrymen, is greatly important; I feel an inability to do it juſtice; but your zeal and prudence will amply compenſate every deficiency.—My feelings ſympathize with yours.

The author's firſt attempt is to turn your generoſity towards Great Britain, by endeavouring

* Pamphlet, page 18.

vouring to perſuade you, in a pompous detail, that your obligation to her is infinite for her "ſudden CONCESSION *of unlimited trade, that trade that made her miſtreſs and wonder of the world.*" This firſt bold inſinuation, merits ſerious conſideration.—Are you, my countrymen, to have no ſhare in the glory of this accompliſhment?—Are your late ſteady and ſucceſsful ſtruggles to be ſet aſide as inefficacious?—And ſhall the *wreſted* rights of this country be credited to the boon and bounteous kindneſs of an Engliſh miniſter?—We demanded with that reſolution which injured right inſpired, and obtained by extorting firmneſs, what dare not be refuſed:—A Britiſh Miniſter could ſee, that "*tollat licet omne quod uſquam eſt auri, & argenti*, SPOLIATIS ARMA SUPERSUNT." *Ye, ye can bear witneſs to this,* SAVIOURS OF YOUR COUNTRY! *Reſtorers of her rights! Benign production of celeſtial origin!* Methinks I ſee the deſpairing virgin fettered to the rock of fixed injuſtice, doomed the FELL GORGON'S UNDISPUTED PREY, till in celeſtial panoply, a Perſeus comes,

comes, and with the monſter, ſlays her fears. But perhaps it will be ſaid, The Weſt India trade was unexpected, and unlooked for; 'twas not our right. This is a point on which I ſee opinion is divided; I apprehend we have a right to it: I ſhould be glad to ſee it cleared up. From an aſſertion of the gentleman's I ſhall, in its proper place, clearly demonſtrate *(if his words are admitted as authority,)* that we have a right. However, conſidering it as a conceſſion, our gratitude muſt be ſuppreſſed.—'Tis a grant from which we can derive no advantage; held forth to us ſurrounded by circumſtances which form a prohibitory reſtriction, it fails not to embitter the hopes we entertained of its benefit by diſappointment, and ſting us with the painful reflection, of our being dupes to credulity, and the menial objects of artifice and fraud.

The ſugar trade, the traffic of the Weſt Indies, is indiſputably, under the preſent reſtricted duty, an unworthy object. Are proofs demanded?—Why are the ſugar-

bakers

bakers idle? Why have the Committee of Merchants proteſted? The collective proprietors (of the whole Kingdom) of a moſt material manufacture, are ſurely to be depended upon in their ſentiments, on a matter of ſuch commercial importance: And the Committee of Merchants of Dublin, the moſt virtuous and diſintereſted men in the Kingdom, are ſurely good authority, in a matter to which their advantage is ſo cloſely joined, from which we may aſſert with confidence, our Weſt India trade is a bubble. I beg leave to remark here, that the gentleman is ſcurrilouſly ſevere, throughout the whole of his pamphlet, upon the gentlemen proprietors of the ſugar buſineſs, and the committee of merchants. He calls their reſolutions an "*Impudent! Moſt ſelfiſh! and unjuſtly-founded outcry!*"* and in another place, declares their "*intereſt to be inverſely exactly as that of the people at large.*"† There perhaps is nothing which betrays a man's principles more, than the exaggerated diſguſt, and extravagant rancour,

* Pamphlet, page 21. † Id. p. 67.

cour, with which he beſtows cenſure upon thoſe who are the objects of his diſpleaſure: Poſſeſſed of a little mind, he is incapable of generous ſentiments; and if unfortunately he is the victim of ſtrong paſſions, the venom of his head, meeting with the rancour of his heart, form a fermenting poiſon, which, overflowing with ebullition, ſpreads wide the vires of its corruption, and pollutes every object that is the unhappy obſtacle of its progreſs. How any member of a community, indebted to a ſet of men, whoſe virtues have always evinced their character, and whoſe conduct upon late critical occaſions was no leſs noble than applauded, dare beſtow on ſuch men debaſing epithets of cenſure, we can only know by tracing the corruption of his heart, and diſtorted efforts of his vendible ability? Let me direct your gratitude, my countrymen, to thoſe men, who nobly diſregarding their private emolument, have afforded an example, in the ſeventeenth century, worthy the early virtues of Rome and Sparta. "*Cuilibet in ſua arte credendum eſt*," is a law maxim:

maxim : let this anſwer his inſolent impudence, whom virtue could not ſilence. He promiſes the public a treatiſe ſhortly on the ſugar buſineſs : I ſhall not anticipate the controverſy of his arguments, but wait with anxiety that production ; and tho' eager to expoſe *now* the fallacy and falſehood of any argument that may be adduced in oppoſition to what I have aſſerted, I ſhall defer the ſubject, and pledge myſelf to my fellow-citizens, to anſwer every argument, with poor ability indeed, but *pure and meaning truth.*

But we might almoſt claim a right to Weſt India trade by purchaſe. If we reflect on the late unthinking, and extravagant ſubſcriptions raiſed in this kingdom for the relief of thoſe Iſlands, and compare the profits accruing to us from a reſtricted trade, as it is to thoſe parts, even for an unlimited age, we ſhall find the ballance conſiderably a loſs, and repent too late, of thoſe effuſions of feeling, which I am ſorry to ſay are characteriſtic of a diſpoſition,

on, which ſoft to an extreme, and ſympathetic even to ſelf detriment, are incompatible with our own intereſt, and repugnant to national advantage.

I am not ignorant of a ſpecious veil, to which my opponent will convert this.---I ſpeak to your judgment, my countrymen; ---let it addreſs your feelings. Think me not an enemy to liberality, becauſe I check profuſion; I applaud hoſpitable generoſity, but utterly condemn a prodigal laviſhneſs.

In fine, be confirmed in this great truth! Great Britain never would concede a benefit to eſtabliſh rivalſhip; the national ſelfiſhneſs of her ſubjects, ſtrengthens the weak policy of her councils; an equalization of duty will prove reſtriction of trade! and our extended commerce be ſwallowed in the monopoly of Britain. The Britiſh miniſter expects much from our revenue!* Our taxes muſt be immenſe. Prodigality demands from poverty! The mendicant cannot

* See the miniſter's late ſpeech on opening the budget.

cannot pay!—THE SEVERITY OF CREDITORS ESTABLISHED THE LIBERTY OF ROME!

I may be ſaid to write with the heat of national animoſity, envenomed with the rancour of diſappointed hopes: But miſtake not my intention! If you cannot claim Weſt India commerce as a right,—refuſe it as a favour;—diſclaim the acceptation of that tender, which, reſtricted even to prohibition, is a fallacious evil;—'tis the baſe, on which is built the inſolent demand of gratitude and taxes;—'tis the well-baited hook, with which the miniſterial angler cannot fail to enſnare:—It will, I am afraid, my countrymen, be effectual to our deſtruction,—a ſource of contention to both nations,—the downfal of the empire. If you accept it, you muſt pay the exactions of the miniſter;—they will be too exorbitant to be complied with;—the extortion will be enforced;—I know your ſpirit. Let me adviſe you then to reject it; the voice of your rights is loſt in the clamour of its benefit:

nefit: It has ariſen but a meteor, which, tho' luminous and bright, eclipſing the ſeemingly inferior ſtars, will diſappear, and its departed ſplendor reſtore a thicker darkneſs.

I come now to conſider that part of the pamphlet, that more nearly concerns us,—THE MUTINY BILL;—THE CHARTER OF OUR DISGRACE.—That PERPETUAL pendulum which, at each vibration, will point the hand of our political oracle to our ſhame or weakneſs, our folly or diſhonour.

As information here is moſt materially requiſite, I ſhall endeavour to collect ſuch as may beſt unravel the myſteries it infolds, and unveil the obſcurity into which it purpoſely has been thrown.

A ſtanding army, *legally* appointed, and *conſtitutionally* controuled, muſt be obviouſly neceſſary, even to its moſt hardy oppoſers: The well being of the ſtate demands it, and the general adoption of it in other empires,

highly manifeſts the prudence of it here; the ballance of power is thereby preſerved, or at leaſt ready to be adjuſted, and nations, confident of each other's ſtrength, become mutually careful to avoid provoking.

The firſt introduction of a ſtanding army under the monarchy, appears to have been in the reign of Charles the Second, and conſiſted only of 5000 men ;‡ but the Second James augmented it to 30,000, and incenſed the nation. The bill of rights declares the conduct of the Sovereign illegal, in raiſing or maintaining an army by regal authority only, abſtracted from parliamentary conſent.

The great ſtep to the attainment of arbitrary power, is the attainment of the military force: and to place in the hands of the Sovereign, the army of the kingdom, perpetually under his ſole government, betrays a deſign too friendly to the views of deſpotiſm, too oppoſite to the welfare of this kingdom.

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‡ Hume's Hiſt. of England, vol. vii. p. 291.

" *A ſtanding body of troops, as abſolutely neceſſary, is kept up under the command of the crown, but by the authority of the legiſlature. The power of an act of parliament gives every year its continuance to our army, and any branch of the legiſlature may annually put a period to its exiſtence, by objecting to it. The dangers of a ſtanding force are thus prevented; its advantages are ſecured.*"† But where the power of the parliament is loſt by the perpetuity of an act which ſhould be annually conſtituted, the advantages are inſecure, and the danger becomes imminent. That the kingdom of Ireland has every reaſon, from ſuch an inverſion of the conſtitution, to be apprehenſive, I ſhall attempt to prove.

" *In every government however ſimple, or however modified, the purſe and the ſword are the two great operative ſprings of the machine. All motion and efficacy proceeding from them, it neceſſarily follows, that in the exact proportion of theſe will the ſtate be formidable abroad; and in the proportion of limitation, exactly by which*

† Stuart's View of Society, p. 145.

which the executive authority is reſtrained in the uſe or abuſe of them at home, will the conſtitution be free or the contrary. In vain will the people affect to hold their independency by the ſtrings of the purſe, if the power of the ſword ſhall be unlimited in the hands of the Chief Magiſtrate; for an army will as readily levy contributions in their own, as in an enemy's country. Therefore it is that, ſince a ſtanding army has become an indiſpenſable part of the political arrangement of Great Britain, the repreſentatives in parliament of the people of England have contrived as much as poſſibly they could, conſiſtent with the neceſſity of confiding the command and patronage of the army uncontroulably to the executive authority, to make the army a parliamentary army, by rendering it dependent on parliament from year to year, as well for its pay, as for the code of laws by which alone it can be regulated." † —Thus far has Great Britain wiſely provided for herſelf. But in this kingdom, not wiſhing, I ſuppoſe, to have a free conſtitution, or be ourſelves independent, we have rendered

† See Pamphlet, p. 23 and 24.

rendered our army not dependent on parliament for an *annual* code of government, (" by which alone it can be governed,") we have acceded to a Britiſh council's mandate, and transferred a perpetual government of a perpetual army, to our Sovereign. So that the ſame Prince, head of two diſtinct kingdoms, profeſſing to have the ſame conſtitution, holds the military force of the one with limited and controulable authority, and poſſeſſes that of the other with an abſolute title. But it may be objected: Our army is not perpetual!—By adopting a perpetual Mutiny Act, we have virtually recognized a perpetual army; and in this lies the fallacy of a Britiſh miniſter: He has impoſed on your ſenſes! and converting to his own purpoſes the blundering credulity of the nation, he has dared to ſhackle you with fetters of tyranny, which your weakneſs dare not withſtand, and your humility could crouch to! Rely on it, my countrymen, ſomething is concealed under ſuch bifarious conduct.—Is your army under parliamentary reſtraint?—No!—But

they

they are moſtly natives, and ſurely would not hurt their country!—"*An army will as readily levy contributions in their own, as in an enemy's country.*"†

Permit me to be ſomewhat more expreſſive here; 'Tis an important conſideration; It includes a double danger; and dreſſed with all the advantage which a miniſter could cloath it in, it fails not to deceive, and prevent that preparation which might avert the imminent peril, with which 'tis copiouſly replete.

Your parliament has acceded to the alteration of its laws, confeſſing the ſupremacy of Great Britain, by paſſing a perpetual act, which, conſiſtent with the principles of the conſtitution, ſhould be annual. A perpetual authority is thus transferred to our Sovereign; of what?—*A perpetual army!* For 'tis abſurd to ſuppoſe our repreſented repreſentatives could frame a law perennial in its agency, for an object limited, temporary,

† Pamphlet, p. 24.

rary, and diſſoluble. The power, therefore, to diſband our army annually, by objecting to its exiſtence, is no more! The curb of deſpotiſm is wreſted from the hand of the conſtitution! and abſolute power is borne triumphant on the courſer of military force, with looſened rein, and uncontrouled career!—Your army is rendered independent of your parliament, independent for its exiſtence, independent for its rule!—You have detached that from you that might perhaps have ſaved you!—The palladium of your nation is ſtolen from you by the ſubtlety of Ulyſſes, and nothing now remains but to break down the walls, and admit the *horſe* pregnant to our deſtruction, and enwombed to our ruin.

But it may be argued, an army cannot exiſt without its pay! While parliament poſſeſſes the purſe, we are ſecure from dangers! But, my countrymen, this is a deluſory hope.—The executive authority has a purſe!—The miniſter of Great Britain has a coffer!

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The ſpirited author of Obſervations on the Mutiny Bill, has ingeniouſly and providently obſerved, that the hereditary revenue may be converted to the ſupport of *an army*. He ſuppoſes the parliament diſſolved, the civil eſtabliſhment aboliſhed, and thus the two ſources (he might have added a third, literary retainers) of corruption and expence being aboliſhed, there will, with the increaſe of duty on increaſing imports under the abolition of the additional duties, be a ſum accumulated ſufficient to defray the expences of maintaining an army.—This *our* author has *ſtrangely* controverted, endeavouring again groſsly to miſlead, and finding the iniquity palpable, he ſtrives to ſcreen it with miſleading argument.

After ſtating the amount of the hereditary revenue 600,000l. per annum, the gentleman eſtimates the expences of the civil eſtabliſhment, intereſt of funded debt, and collecting the revenue at about 432,000l. per annum, which, ſubtracting from 600,000l. the

the amount of the hereditary revenue, leaves "*the mighty ſum of* 168,000l. *to pay this numerous army, and maintain the Prince in Ireland.*"* My reader will, upon inſpecting the calculation, perceive its fallacy. The expences of the civil eſtabliſhment, which, to uſe the author's own figures, amount to 169,000l. are here deducted from the groſs ſum of the hereditary revenue, and the profuſion of expence in collecting the revenue, which he ſtates at 158,000l. and which will greatly be diminiſhed when profligacy and proſtitution are aboliſhed, is not at all curtailed by him, but is likewiſe *in toto* deducted from the amount of the hereditary revenue. Stating then the hereditary revenue at 600,000l. per annum, and admitting the amount of the intereſt of funded debt, which muſt be paid, to be 105,000l. and allowing 58,000l. for collecting the revenue, (which will be more than adequate) we ſhall have only to deduct 105,000l. and 58,000l. from 600,000l. and we ſhall have 437,000l. per annum for the

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* Pamphlet, p. 36.

maintenance of an army to ſubjugate this country. The civil eſtabliſhment is not here deducted, for civil exigencies will vaniſh when parliamentary corruption ceaſes; and the 100,000l. ſaving from the collecting the revenue will be admitted as juſt, if it is conſidered that the enormous ſum of 158,000l. is not applied to the mere purpoſe of collecting, but abſorbed by *expenditures extraordinary*, or perhaps the *rewarding ſecret ſervice*.—Reſtrain your indignation, my countrymen! *tho' it is trifling with mens underſtanding to offer them ſuch ridiculous ground for apprehenſion.*" †

But his Majeſty will not diſſolve the parliament! For "*The diſcontinuance of parliament and royal martyrizing, are connected paſſages in the page of our records, and the knowledge of this circumſtance, aided by the practice of modern patriotiſm, hath taught our Princes how much more ſafe and effectual it is to* RETAIN *than to diſband a parliament*," § and

† Pamphlet, p. 37. § Id. p. 35.

and therefore the civil eſtabliſhment will not be aboliſhed!

To prorogue or diſſolve the parliament, is a power with which the conſtitution has wiſely inveſted the ſovereign. "*If nothing had a right to prorogue or diſſolve a parliament but itſelf, it might happen to become perpetual.*"* The King, therefore, whenever he pleaſes to exerciſe this power, makes uſe of it rightfully. Should the king diſſolve the parliament of Ireland to-morrow, he but legally exerciſes a part of his prerogative; and are we to ſuppoſe our records recite the exertions of democratic fanaticiſm, unwarranted and never juſtified, to deter a Prince from the legal exerciſe of rightful power, or bar the hand of juſtice from the uſe of her authority. To prorogue a parliament may be often neceſſary; to diſſolve an uſeleſs one, a benefit to the nation; and were his Majeſty to-morrow to diſſolve ours, I believe he might little fear martyrdom,

* Blackſtone's Comment. vol. i. b. ii. p. 187.

dom, or even the diſpleaſure of his Iriſh ſubjects.

But there is ſomething more perhaps contained in this inſinuation than you may be aware of, my countrymen! At leaſt there appears an oblique hint conveyed through it. The practice of modern patriotiſm ſeems approved of by the author, and the illegitimate uſurpation of a regicide hath not extorted from him a merited reprobation. I think we may form an idea of the man, from the venom of his doctrine. No loyal ſubject will approve, and I am ſure the virtuous citizen will diſcard it as treaſonable.—The veil of moderation ſeems to be rent aſunder, and we diſcover through the aperture the deception it concealed.

The firſt pages of our author's pamphlet are replete with declamation againſt the patriotic ſpirit; he then labours to ſecure an "*unfairly dealt-with miniſter*" from the rage of its clamour, and ſtrives to extort the pity of the people from an exaggerated diſ-

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play of a vehement oppoſition. But behold the object of his reprehenſion ſeems now regarded as the theme of approbation. The practice of "*modern patriotiſm*," coupled with the horrors of "*regal martyrizing*," are guardians of public liberty; they "*have taught princes how much more ſafe it is to retain*, (TO KEEP IN PAY, TO HIRE) *a parliament, than to diſband one.*"—*Happy government! where liberty is upheld by democratic menace, and the ſubjects' rights confirmed by treaſon.*

I entreat you, my countrymen, ſhun his inſinuation! The records he alludes to are the memento of our diſgrace!—The principles by which he tells you ye are ſecure, are the pillars of treaſon!—Royal martyrizing has been the curſe of the nation; may it never be again adopted to complete its ruin.

But the gentleman will reply, that no ſuch meaning can be taken from his words. I anſwer, they inſinuate too ſtrongly the

intention of their author. To RECITE them is too bold, too crazy an attempt. The kingdom was lately in a ferment!—National heat is not yet extinct! and I dare say the author well knows,—that to allow a patient, but just returning from the rage of a distempered fever, an unrestrained regimen, is to favour a relapse, and create new sources for a returning malady.

But to return: I have shewn, that there will be a sum of 437,000l. accruing from the hereditary revenue, to maintain an army equal to the reduction of this kingdom. It will be denied, perhaps, that this sum will be adequate, admitting it, (and may as many millions prove insufficient!) yet the deficiency will be made up from the COFFERS OF GREAT BRITAIN.*

And

* It cannot be impertinent here to remark, that we have a precedent of a sovereign maintaining a most numerous army out of his own civil list.—James II. increased the army to 30,000, and maintained them from his own civil list. See this circumstance remarked by Blackstone in his Commentaries, vol. i. c. xiii. p. 413.

And here, my countrymen, will I open to your view a ſcene,—new and dark!—concealed with artifice!—replete with treachery!—and imminent to deſtroy our devoted rights!—

The conteſt is not with our ſovereign!—the intereſts of Ireland are not to be deſtroyed by its king merely!—His Majeſty has not rendered himſelf deſpotic to Ireland!—A Britiſh miniſter hath devoted us!—A Britiſh council mutilated our rights!—and power *is lodged* already to deſtroy us!—Let us review the queſtion a little.

How ſtands Ireland towards Great Britain?—An envied rival to her trade and manufactures!—An ill-judged blemiſh on her greatneſs!—An impediment to her avarice!—A curb to her ambition!—Are proofs required of my aſſertions?—View the petitions of her towns!—See the ſpeeches of members in her parliament!—recall your own ſufferings! reflect on your ſituation!—'Tis not to a ſovereign,—but

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to a kingdom!—'Tis not to views of deſpotiſm,—but to the policy of a nation we are odious!—This, my countrymen, hath drawn *combined* power againſt us!—The parliament of Great Britain is not intereſted in the ſafety of yours!—It views your nation hoſtile to their advantage!—and deems the *exiſtence* of its *councils* an oppoſition to its own.—*Therefore* is your army wreſted from your authority!—Independent of *your* laws, *Great Britain* poſſeſſes it, to turn againſt yourſelves!—The opportunity hovers! Endeavour to avert it!—"*Will* (ſays the author) *Great Britain look quietly on, and ſee the King of England employ the army of the empire to ſuch purpoſe? Will the parliament of England entertain no fellow-feeling for the parliament of Ireland? Will the parliament of England be free from apprehenſions for its own fate, when the king of both kingdoms,* ARMED *with the favours* LAVISHED *upon him by his Iriſh parliament, ſhall ſo openly, and ſo ungratefully employ thoſe very favours to the extermination of that parliament?*

ament?"—Abſurd interrogation!*—Great Britain is *leagued* to deſtroy us!—The parliament of England is the enemy of ours!—*It commonly happens, that the precipitancy with which the ambitious haſten to deſtroy what they deem a rival, cauſes them to be incautious of their own ſafety, and entailing the danger on themſelves, makes the ruin mutual.* To warn, therefore, the Britiſh parliament of their own danger, in conſtructing ours, "*was conduct highly* PROVIDENT *in an Iriſh patriot, conſidering that under his own ſtating, Ireland can incur the miſchiefs ariſing from the Mutiny-law, only through the ambition of the Engliſh legiſlature, or ſelf-intereſtedneſs of the Britiſh people.*"† For this ambition of their legiſlature, this ſelf-intereſtedneſs of their people, might beſt be prevented, by unfolding the affinity of deſtruction that awaits their project, and demonſtrating the reciprocalneſs of peril that cauſes its execution: And the potent efficacy of the evil (the Iriſh Mutiny Bill) cannot be better manifeſted, than by diſplaying the double

* Pamphlet, p. 34. † Id. p. 29.

danger it enfolds, the mutual ruin that attends it.

The gentleman next artfully, but in a manner which moſt ſenſibly betrays his weakneſs, juſtifies with the laconic inſolence of retort, the perpetuity of the law, by the *daily licentiouſneſs* 'tis calculated to reſtrain. Not to mention the unmerited cenſure here thrown on a body of men, (who ſhould rather be the object of our pity than diſguſt) by the exaggerated aſſertion of "*daily outrage*," the author ſeems to me to fly to one of thoſe weak ſubterfuges, which ignorance generally erects for baffled folly; and forgetting how much his arguments are hurt by his digreſſion to cenſure, he fails not to beſtow unlimited reprobation on thoſe, whom was he true to his *employer's intereſt*, he would have laboured to panegyric. However, while he has injured, he may have thought to benefit them; for though by his character of the army, (men guilty of "*daily outrage*") he, I hope, has confirmed our vigilance; yet

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by a diſſemination of enmity and diſguſt, he might have confirmed a mutual hatred, the baſe of animoſity and unworthy contention, and thereby perhaps have eſtabliſhed for the ſoldiery an *apology for outrage.*

But I preſume the Mutiny Act is moſt deficient. Does it not rather encourage military miſconduct. *Blackſtone, ſpeaking of the army,* (vol. i. c. xiii. p. 413) *ſays, it ought only to be enliſted for a ſhort and limited time; the ſoldiers alſo ſhould live intermixed with the people; no ſeparate camp, no barracks, no inland fortreſſes ſhould be allowed. And perhaps it might ſtill be better, if by diſmiſſing a ſtated number, and enliſting others at every renewal of their term, a circulation could be kept up between the army and the people, and the citizen and ſoldier be more intimately connected together.*" Is not then this Act perverſely calculated for the very oppoſite purpoſe? It generates a contempt for civil laws, and teaching the manacled hero to look up to majeſty as his ſource and origin, directs him to obey deſpotic mandate, and act

act obsequious to a sovereign's will.—Can harmony exist between two governments so opposite, or that amicable connexion be preserved, so greatly necessary to military friendship. In fine, are not the soldiery, by this Act, rendered immediately the just object of the following description?—"*In the present state of European monarchies, a soldier is the servant of the Prince; and it is by means of standing armies, which are always devoted to his will, (as he alone has the power of advancing and rewarding of them) that they are able to trample on the liberties of the people. To be a soldier, therefore, in the present state of things, is to be an engine of arbitrary power; and his motto ought to be the reverse of the glorious one of Algernon Sydney—Manus hæc inimica libertati.*"*

Having endeavoured to point out the dangers with which this country is inevitably threatened, (from the adoption of a perpetual Mutiny-law) and which will take place, when the ripening occasion shall arrive

* See Priestly on Education, Sect. 2d.

rive at maturity: Permit me, before I proceed to ſhew you how our liberties are, by this law, rendered inſecure, to make ſome curſory obſervations, by way of recapitulation.—And I entreat you, my Readers, to attend!—Let not indignation form your opinion!—Reflect with leiſure!—Weigh with calmneſs!—Effect with prudence!—If importance can render a ſubject of conſequence, the preſent is indeed ſerious.

There are two principles which ſtrongly mark the human character, *depravity* and *weakneſs*; by the latter, I would wiſh to be underſtood more particularly here to mean intellectual inability; the former is too expreſſive to need the explanation of its ſenſe. There is hardly an inconſiſtency of humanity, but may be accounted for from either of theſe; and from theſe I aſſert the incongruous conduct of two kingdoms has proceeded, who ranked among the virtuous of nations, and were held ſuperior in the abilities of mankind.

The parliament of Great Britain has ever beheld the prerogative of the crown with the moſt jealous apprehenſion, and wary vigilance. To my recollective reader, I need only mention the memorable determination of that Houſe, in the laſt ſeſſion, on the motion, "that the prerogative of the crown has increaſed, is increaſing, and ought to be diminiſhed." Conſcious that the exiſtence of the conſtitution depends on the equiponderancy of its parts, they beheld the ſuperior augmentation of any one oppreſſive to the reſt, and regarding the welfare of the ſtate, determined to ſupport its life-giving equilibrium. The effects of a reſolution ſo ſalutary, ſo happily calculated to ſecure conſtitutional welfare, promiſed every ſucceſs againſt the exertions of deſpotiſm, and ſeemed effectually to prevent the growing progreſs of encroaching power. In ſhort, the determination itſelf ſeems no leſs wiſe, if we conſider the cauſe that gave riſe to it, than its conſequences appear opportune, to prevent the impending danger.

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It muſt be obvious to every attentive obſerver of the government of this kingdom, that the influence of the crown is here much more formidable and extenſive than in England. Governed as we are, by the Viceroyalty of Majeſty, the royal prerogative muſt find acquired ſtrength from the minions of its repreſentative, and counties of its own favour: Its power enlarges under every new miſſionary of its dignity, and triennial periods increaſe the ſtock of its authority. If a reſolution, limiting the invaſions of the crown, was by the parliament of England deemed neceſſary to the ſafety of its government, will it not follow, that a ſimilar determination muſt prove beneficial to the conſtitution of Ireland, where the danger is more augmented, and the efficient principle of our ruin doubly powerful! If two kingdoms, poſſeſſing a ſimilar conſtitution, and owning the ſame ſovereign, ſhould either of them, finding a principle of its conſtitution diſproportioned by augmentation, limit that increaſe, and contract it to equality, is it not a declaration

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to the other kingdom, that a like limitation of a similarly over-grown principle, would be beneficial to it also? This is a proposition which I think will be received as a self-evident axiom.—How shall we account then for the strange inconsistency which I shall now urge upon your feelings, and force home upon your senses, if *depravity* has not blunted them.

Ye were warned in the last session of the British parliament, that the encroachment of power had been swift in its progress to subvert the constitution, and rapid in its advances to injure the government of Great Britain. The national council of England notified the danger, and endeavoured to avert it by the precautions of its prudence. It declared the authority of Majesty to have increased, to be increasing, and, interposing its own authority, resolved, that it ought to be diminished. Yet strange! The declaration that should have rouzed your vigilance, and kindled up your caution, was opposed by perverting execution. The in-

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terpoſition of authority in the Engliſh parliament, was thwarted by the ſurrender of it, by that of the Iriſh; and the reſolution, to check the evil in England, was weakened by the determination to augment it in Ireland. Ye inveſted Majeſty with the perpetual government of your army; ye ſurrendered your authority by the perpetuity of the inveſtiture; and thus diſarming the nation of its authority, ye beſtowed on Majeſty the panoply of power, augmented power to never end. What were your inducements? What mercenaries fight for? What could have prompted you? Depravity and weakneſs!

Is then the King of England armed againſt the liberties of his ſubjects? Has the Iriſh never to be forgotten reſolution done away the effect of the determination of the Engliſh parliament? I perceive an argument ready to contradict it; "The Iriſh Mutiny Act being only for the regulation of the army of Ireland, affects not in the leaſt the conſtitution of England, and

therefore is not repugnant to the reſolution of the Engliſh parliament." To this I at preſent ſhall only anſwer as before: Both kingdoms profeſs one conſtitution, and own but one King; it will therefore ſeem neceſſarily to follow, that a detriment in conſtitution muſt be mutual. But admitting the act not at all to be pernicious to the Engliſh conſtitution, the danger becomes then more forcible on the government of this kingdom. For if the parliament, if the kingdom of England were amicably diſpoſed towards Ireland, they would have endeavoured, as much as poſſible, to prevent the acceſſion of prerogative to their mutual ſovereign; but being hoſtile to our welfare, (becauſe deeming us a bar to their greatneſs) they were glad to embrace an opportunity ſo favourable to our ruin, ſo villainouſly grateful to their jaundiced wiſhes. The paſſion of their enmity darkened the clearneſs of their reaſon, and precipitate to ruin us, they have overlooked their own preſervation.

Wherefore does our common ſovereign govern the "*army of the empire*", as the gentleman calls it, with diſſimilar regulation? This is a queſtion which includes an argument, forcible to convince us of the iniquity of the law, and demonſtrative to explain to us the peril of our ſituation. 'Tis a queſtion which muſt ſtagger this kingdom! The anſwer is latent, tho' the plauſibility of artifice makes it moſt obvious! Let me attempt to unfold it: 'Tis in order then, *to gratify the ambitious ſchemes of one country, by the deſtruction of another*. This is an aſſertion to which the humanity of your own diſpoſitions may force you to object. But I beſeech you, conſider circumſtances: Wherefore are theſe clouds ſo full of ruin, and ſo ſwoln with vengeance, collecting and concentering?—To form a ſtore-houſe of combuſtion againſt the day of opportunity, to level with united force, and ſpread deſtruction with a general tempeſt. Remember, while this act exiſts, the ratification of evils is in being; while the Iriſh Mutiny

tiny law is a received, active, parliamentary reſolution, the liberties of this kingdom are inſecure and rotten.

There cannot be a greater proof of the weakneſs which this champion for the mutiny act finds in ſupporting it, than the artifice with which he labours to conceal its fatality, and the mean ſhifts he has recourſe to, to defend it. He would impoſe on your ſenſes, and attempts it palpably in ſeveral parts of his pamphlet; in none, however, more barefacedly, than in the following: He wiſhes to ſhew you the propriety of this perpetual act, by referring you to precedents of perpetuity in other laws, for the regulation of the army, and would ſtile, I ſuppoſe, the perpetual act (the 6th Anne providing accommodation for ſoldiers on their march, and the 4th George I. providing barracks, and veſting the property of ſuch barracks in the crown for ever,*) perpetual mutiny laws.

The

* Pamphlet, p. 40.

The doctrine of the omnipotency of parliament, is a point long ſince rejected, and now indiſputably exploded; and the power of the preſent age, to bind its poſterity, is wiſely diſclaimed, as ſubverſive of every end of liberty and juſtice. Whether an aſſembly has not aſſumed the one, and adopted the other, by the expreſs declaration of a perpetual act, is a conſideration ſuited to the judgment of you, my countrymen, and important to require the attention of us all. Does not the gentleman's declining an anſwer, and eluding the argument, give a tacit ſanction to confeſſion of irregular proceeding? Is the ground on which he avoids to confute the aſſertion, rational or firm? "*Although, ſays he, I think his ground uncommonly weak, I am very unwilling to indulge him in a conteſt. Appeals from the operations of parliament to the judgment of the people, I hold to be ſerious things.*"* Would he, by endeavouring to controvert an appeal to the people from the deciſions of parliament, have incurred the conſequence of what he calls

* Pamphlet, p. 30.

calls a "*ſerious thing?*" If he held an appeal to the people in ſuch an important light, ſo fraught with ſerious ills, could he have incurred the peril of ſuch a "*ſerious thing,*" for labouring to avert it? No, my countrymen! but fearing leſt you ſhould feel for yourſelves; apprehenſive leſt your judgment ſhould ſtart up alarmed, he has artfully declined the diſcuſſion of a point, which he knew perhaps would be determined againſt him, to the detriment of his party, and abhorrence of himſelf. The concluding words of his reaſons for declining the "*conteſt,*" are *very remarkable.* "*His preſent appeal is an inſult to parliament, and to* DISCUSS *it with him were to become his accomplice in a dangerous ſcene of mockery.*"* The aſſertion I think is not more extravagant than the inconſiſtency it contains is abſurd.

The legality of an army, ſelf-conſtituted and ſelf-diſciplined, being loſt in its numbers, ſeems to have called forth the gentleman's

* Pamphlet, p. 51.

man's indirect reproof; but sorry perhaps for this dangerous manifestation of his principles, he has wisely avoided the petulant severity of the crown lawyer, and apologized for the incautious assertion, by the adulatory insinuation of insidious compliment. "*For I have the fullest conviction that the noble and ardent spirit, so remarkably high at this time in the kingdom, is the comfortable source of security, no less of the peace and property of the inhabitants of the kingdom, than of the rights of his Majesty's crown of Ireland.*"* There was a time when he would thus have expressed himself: *No less of the rights and property of the inhabitants of the kingdom, than of the peace of his Majesty's crown of Ireland.* But, my countrymen, is not the legitimacy of your army lost in its numbers? Who is then so hardy as to deny its constitution just? Or are there any amongst us so profligate, as to assert it illegal? Does not its legality consist in its infinity? Would it be suffered to exist to-morrow, if *numbers* did not sanction its constitution?

* Pamphlet, p. 32.

On what is its legality founded?—On the cause that gave rise to it, and the universal unanimity with which it is adopted. We seek no other constitutional principles than these, whereon to rest its legality, and these are all-sufficient. If universality of opinion can constitute law, or unanimity of exertion justify an action, the Volunteers of Ireland are sanctioned in their constitution, and authorised in their establishment. The motives which produced their union still exist; the dangers that required their numbers yet impend. Should *discord* effect dissolution, or *treachery* diminish them, the extensive strength which now is the support of the confederacy will dwindle, and the enemies of our association will declare its constitution lawless. Be then jealously tenacious of the legality of your union; 'tis strictly just, if we contemplate its origin, and more than legal, if we consider its intrinsic. "*A nation, when obliged to employ such extraordinary efforts in defence of its liberties, annuls itself every thing which can promote this great end; and the necessity of the*

case,

*caſe, and the importance of the object, juſtify any departure from the common and eſtabliſhed forms of the conſtitution."** -

When abilities become venal, and talents are ſacrificed to mercenary caprice; when the ſentiments of truth are devoted to the ſchemes of apoſtacy, and principles of virtue rendered the diſtorted engines of falſhood, how debaſed is the mind? How enervate the vigour of imagination! How periſhed the principles of equity and truth! Intent only to deceive, they graſp with eagerneſs at trifles, and incapable to overturn the ſolidity of virtue, but expoſe their inconſiſtencies in the preſumption of their ſtrength.

There cannot be a greater proof of the inſincerity of this pamphlet, than the unheeded inconſiſtencies with which it abounds, and the laboured quibble by which 'tis feebly ſupported;---'tis the mean artifice of venality deceiving the people, and the proſtituted

* Robertſon's Scotland, vol. i. p. 243.

titated abilities of an author cajoling the favourers of his corruption.

The *word* Ireland being omitted in the British Mutiny-act, has furnished the cause of the most treacherous exultation, and created a joy lascivious even to meanness. —The supremacy of England over Ireland, is thus virtually renounced; the independence of this kingdom is uncontestedly recognized, "*and with regard to the exclusive supremacy of the Irish legislature over Ireland, the Mutiny-law is perfectly a charter.*"* —Unprecedented imposition! Inglorious falsehood!—

The two great ends of this law, we are told, were to vindicate the supremacy of the Irish parliament over Ireland, and reserve the legislative establishment of our army, from the authority of Great Britain.

The accomplishment of this indeed, would be the perfection of liberty,—the security

* Pamphlet, p. 52.

ſecurity in this the confirmation of our rights! But alas! how ſadly certain is the reverſe, and how indignantly oppreſſive theſe *perverted* ends! Your Mutiny-law is the accompliſhment of ſervitude! the teſtimonial of your ſhame! the charter of your ruin!

'Tis true, the miniſter in the Engliſh Act has not inſerted Ireland nominally; 'tis certain, that when *wiſely* preſſed by oppoſition, to inſert it in a clauſe, he refuſed and excepted it: Its palpable adoption would have betrayed glaring treachery; and the violation of former conduct would have rouzed this nation. But, my countrymen, your kingdom is virtually included; your liberties, literally renounced, are reſervedly withheld, and your laws, apparently diſengaged, are held in dependency, and preſſed by art.

What is your Mutiny-act? A law which enacts, that his Majeſty's forces in Ireland ſhall be governed by a portion of an Engliſh act

act of parliament, enacted from year to year, in the parliament of Great Britain, for the regulation of the army!—A law dependant on an Engliſh act of parliament!—An entire law for the regulation of the whole army of an independent kingdom, conſiſting of only a clauſe of a Britiſh law!—"*A law which becomes abſolutely dead letter, let but the Britiſh parliament withhold the articles of war!*"—An abſurd law, which, ſtrangely perpetual in its effect, flows from an Engliſh regulation *temporary*,—*mutable*,—*annual*. "*Thus we ſee, indeed, that nothing can be more effectual than the reſources which Great Britain poſſeſſes againſt the dangers of the Iriſh Mutiny-law.*"*

How ſtands our argument?—The liberty of this kingdom, and ſupremacy of its legiſlature, are contained in the Iriſh Mutiny-law. ("*For with regard to the excluſive ſupremacy of the Iriſh legiſlature over Ireland, the Mutiny-law is perfectly a charter.*") But the Iriſh Mutiny-bill is contained in an Engliſh

* Pamphlet, p. 43.

Engliſh act of parliament; therefore, the ſupremacy of the legiſlature and the liberties of Ireland are contained in a Britiſh act of parliament. Again, it is in the power of the Engliſh parliament to do away the Iriſh Mutiny-law. (*"For let the Britiſh parliament but withhold the articles of war, and the perpetual Iriſh Mutiny-bill becomes abſolutely dead letter, for it has no application."*) But the liberty of Ireland is contained in its Mutiny-law; therefore a Britiſh act of parliament may do away the liberty of Ireland. *Admiſſi ſpectatum* IRAM *teneatis amici.*

Thus while the gentleman hopes he has perfectly reconciled you to the bill, he has plunged himſelf into thoſe inconſiſtencies, which unavoidably flow from the ungarded aſſertions of apoſtate zeal.

"The army, tho' not imperial, is the army of the empire; in its foreign ſucceſſes, each country has an hope to gratify."† This is an hypotheſis,

† Pamphlet, p. 44. I have, from this aſſertion, an inconteſtable argument for right to Weſt India commerce. If, as the

hypothesis, on which the gentleman builds an argument for justifying the authority which Great Britain possesses, of limiting the duration of the army of this kingdom. England and Ireland, he states, have common hopes and fears from their army: A participation of controul may best secure them from danger. "*The establishment of the Irish army, the provision for its support, and the law to regulate it, proceed from the parliament of Ireland; but the parliament of England retains a check in its hand, influencing the duration of that army, and this is perfectly consistent with the constitutional attributes of the Irish parliament.*"—Give me leave to ask, is there *participation* of controul here? Has not that power which can influence the duration of, *i. e.* put a period to, —disband the army, the unlimited controul the

the gentleman asserts, the army is the army of the empire, and to England and Ireland there is a view to common hopes. I humbly apprehend the successes of the army are a common acquisition; our blood and treasure were honourably employed in gaining the West Indies; yet the emoluments we shall acquire are to be credited to British generosity, and our assistance, I suppose, rated *Feudal Vassalage*.

the abſolute authority of it? Is it not optional to Great Britain, whether or no there ſhall be an army in Ireland? She poſſeſſes the power to influence its duration, ſhe exerts it, and your army is diſbanded to-morrow. Yet this is that pretty contrivance the gentleman is ſo highly pleaſed with, "*which, by a communion of intereſts, lays the only conſtitutional foundation of union we have ever had between the two iſlands.*" "*I would to God it were* LESS *extenſive and indiſſoluble!*"

But the gentleman aſſerts, the army in Ireland cannot be increaſed indefinitely, "*For he always did, and does believe, the crown cannot add a ſingle ſoldier to the eſtabliſhment of either country, without conſent of parliament.*" But where is his recollection? Page 42, he aſſerts, "*the crown may tranſport the forces to any part of the empire at will.*" The definite number therefore of the Engliſh army will be the indefinite increaſe to that of Ireland. So that the crown by conſtitutional prerogative tranſporting forces when

it

it pleaſes, may increaſe indefinitely the army of Ireland, transfer the military of England from limited authority to a perpetual government, and preſerving a perpetual army under perpetual regulation in this kingdom, overawe the legiſlature of Britain, or direct the councils of an Engliſh ſenate. Is there then any principle wanting to complete the conſtitution of deſpotiſm, or deficiency in poſſeſſion to form the character of an arbitrary prince? Does not the gentleman himſelf forebode the evil, and in words as palpably as demonſtration can enforce them, ſeem to inſinuate ſucceeding danger? "*The liberties of theſe countries may be yielded up by the people, but they will never be raviſhed from them. A choice of evils, at ſome future day, (I truſt it is remote) may poſſibly determine the people to ſurrender at diſcretion, and in deſpair to prefer the dominion of one maſter to that of five hundred.*"* Your liberties, my countrymen, are yielding up without the virtuous efforts of expiring freedom! Ye have no alternative but choice of

* Pamphlet, p. 35.

of evils!—The day is preſent!—Your ſurrender waits but to be ratified! And ye ſink with that apathy which ſucceeds the loſs of virtue, beneath the heavy ſcourge of executive deſpotiſm, and galling manacle of centered power.

Can there then remain a doubt, but your army may be increaſed, augmented indefinitely?—Are you not ſenſible, that the perpetual act paſſed for the government of the army of this kingdom, creates an eſtabliſhment nationally ſeparate, and conſtitutionally unequal? Are you not convinced, that this grant of power, which muſt inevitably deſtroy you, will end in ruin to the Britiſh empire? If you deny it, let me retort that authority, which, wreſted to the purpoſe of treacherous deception, ſhall confirm my aſſertion, and add a valid proof to the ſide of virtue!

"*In the year* 1769, *upon a requiſition of the crown, an augmentation of the forces in Ireland was voted in the Iriſh parliament, not,*

 however,

however, without a previous permiſſion in a Britiſh ſtatute. Lord Chatham, then in oppoſition, having conſidered this Iriſh proceeding as a ſpecies of ſeparate national eſtabliſhment of the Iriſh army, by the parliament of Ireland, threatened the miniſter's head who had permitted it; and in the effuſion of his eloquence, lamented the loſs ſuſtained by the conſtitution, in the following figurative expreſſion: THAT THE MINISTER HAD PERMITTED THE STRONGEST FEATHER TO BE PLUCKED FROM THE WING OF THE BRITISH EAGLE."*

That vigilant pilot of the nation's bark, no doubt, beheld the calamitous train of conſequences that would ſucceed the meaſure, and loudly diſclaimed it in all the prophetic ſtrength of his *own* oratory. How would he be confounded, could he ſee the ſtep adopted now with all the added ruin with which the inveſtiture in the ſovereign of its perpetual government, accompany it?

"But

* Pamphlet, p. 46 and 47.

"But perhaps 'twill be aſſerted, that the army of Ireland, governed by a perpetual law, does not form a ſeparate national eſtabliſhment, and therefore the evil predicted by Lord Chatham will not take place." I humbly apprehend, that a mutual military eſtabliſhment, conſiſts in the ſimilitude of its government, and equality of regulation. Now the army of Ireland being governed arbitrarily, and by perpetual law, and that of England conſtitutionally, and by a temporary act, it will ſeem to follow, that the military of both kingdoms are on diſſimilar eſtabliſhment: For each nation governs ſeparately its ſoldiery, by a different regulation. Therefore it is, that the King of Great Britain is armed againſt the liberties of his Engliſh ſubjects, and thus has the miniſter, aided by the parliament of this kingdom, permitted the ſtrongeſt feather to be plucked from the wing of the Britiſh eagle. I apprehend the gentleman, when he ſpeaks of participation of controul, either miſtakes the meaning of the words, or elſe totally forgets his premiſes. Let me remind

mind him? *Now, in as much as England and Ireland, in this view of common hope and fears, form but one body, liable to be affected by the same danger* (meaning the army); *exemption from that danger is better secured to both by a participation of controul.—For take notice, they have a common enemy in the ambition of the prince, to whose command the army is constitutionally obedient. The establishment of the Irish army, the provision for its support, and the laws to regulate it, proceed from the parliament of Ireland; but the parliament of England retains a check in its hand, influencing the duration of that army, &c.*[9] We here see a controul vested in the English parliament over the Irish army, but cannot find the legislature of Ireland possessed of the smallest influence over the military of England; there is a common danger from our common army; participation of controul may best prevent it; England possesses the sole authority over her own, and controuls the Irish army, while the influence of Ireland over her own army, is scarcely nominal.

[9] Pamphlet, p. 44.

Where then is that participation of counsel, that *equal* distribution of authority, or how shall the common danger be prevented?—

However necessary the power in the crown, of superadding articles of war, not extending to life or limb, may be in time of actual service, in time of war. I conceive that this appendage to prerogative in peace, is as pernicious to the welfare of the nation, as ruinous to the rights of those subjects who are more immediately the objects of its cognizance. How deep, my countrymen, is the servitude of that vassal, whose guilt depends upon the caprice of one lord, and whose conduct is determined at the will of one master!

When the exigencies of the state place the military force more immediately under the government of the executive power only, 'tis in some measure necessary, that undivided authority should rule a body of men, whose operations are only decisive when

where the application is veſted in one perſon; but when the criſis is paſt that ſhe needed that neceſſary ſeverity of diſcipline, ought not the rigour of their government be relaxed, or the arbitration of their guilt at leaſt be depoſited in more relenting hands? Lord Coke well obſerves, "*miſeris eſt ſervitus ubi jus eſt vagum aut incognitum*," 4 Inſt. 332. and juſt ſo is the law to ſoldiers, by the boundleſs authority veſted in the executive power of adding articles of war not extending to life or limb. Blackſtone mentions it with deep regret; he calls it "*a vaſt and moſt important truſt*," and ſeems to think, tho' the gentleman aſſerts it was enacted "*in the ſeaſon of the full-blown jealouſy and vigilancy of the Britiſh people*," that it was the reſult of negligence, and had eſcaped the vigilance of the Britiſh parliament. Read his own words: "*Perhaps in ſome future reviſion of this act, which is in many reſpects haſtily penned, it may be thought worthy the wiſdom of parliament to aſcertain the limits of military ſubjection, and to enact expreſs articles for the government of the army*,

for the preservation of the ... as by our present constitution ... nobility and gentry of the kingdom, who ... their country as militia officers, are annually subjected to the same arbitrary rules, during their time of exercise."* But the penalty of our act leaves to its devoted objects no prospect of exemption from their servitude, for that they are in servitude, needs only to be proved by the same author's words: "*How much therefore is it to be regretted, that a set of men, whose bravery has so often preserved the liberties of their country, should be reduced to a state of servitude, in the midst of a nation of freemen!*" And afterwards pointing out the danger which the nation is subjected to from their situation, he remarks, "" *These men, as Baron Montesquieu observes, seeing the liberty which others possess, and which they themselves are excluded from, are apt, (like eunuchs in the eastern seraglios) to live in a state of perpetual envy and hatred towards the rest of the community, and indulge a malignant pleasure in contri-*

* Blackstone's Commentaries, vol. i. c. xiii. p. 415.

contributing to deſtroy thoſe privileges which they can never be admitted."

Having traced the gentleman's arguments as they lay before me, and attempted to anſwer them as the poverty of my abilities permitted, ſuffer me to make ſome comment upon the whole.

And, my countrymen, are you not convinced, that your liberties are ſtill in bondage? That the ſpecious conduct of the Britiſh miniſter was only a lure to decoy your vigilance, and divert the attention of the nation from its more important concerns?—Where is the operation of your extended commerce?—Where the confirmation of your vindicated rights?—Can you each for himſelf declare, I AM FREE! —Is there in the whole nation one man, even the author of the pamphlet himſelf not excepted, who thinks the kingdom at liberty?—Cato uſed to ſay, he wondered how two auguſs could meet each other without laughing! May we not juſtly wonder,

political augurs, who admire the excellencies of our constitution, and who affert that the freedom of this country is perfect and eſtabliſhed, can behold each other unmoved by the pang of remorſe, nor tortured by the pungency of ſenſe, which the conſciouſneſs of wilful fallacy muſt create? How can they behold, with the honeſt conſciouſneſs of well-ſpent ability, the men whoſe truſt they have ſo abuſed, the men who are ſenſible of the injury they have received? What reply can they make to the ſtinging affirmations of their injured countrymen, or how anſwer the interrogations of a nation,—deluded, —cheated,—ANGRY? How will they bear the accuſations of their conſtituents, or the accoſding pang of guilty conſcience?—We depoſited in your hands our country and our rights, fettered indeed and burthened, and imperfect!—We entruſted you with them too, at a period moſt propitious to expectation, moſt glorious for our hopes! —The enemy was impotent! her vigilance was averted!—We roſe unanimous,

honourable in our union, to
form of your virtue, and con
dence!—Ye saw the perfidy
ready to succeed the mean
cils!—Ye knew the occasion
is the relief, or heightened object
heightened views!—The bonds of our
berties have received the confirming rivet!
—The nation's hopes are vanished with
her rights!—and the expectation we in-
dulged with fondest ecstasy, is changed to
cruelty of disappointment, and rancour of
despair.—We viewed your first exertions
with an infancy of hope, but saw your *last*
determination, with the bitterness of disgust,
—Repulsed from seeming efforts for the re-
storation of our rights, we beheld your vir-
tues centered in a measure, which promised
success to pious perseverance, and held
forth the merited palm to patriotic spirit.—
We applauded your resolution, and looked
up to the steadiness of your councils, as our
preservation and defence.—The crisis arri-
ved.—The nation was attentive.—The
pulse of freedom throbbed with fluttering
circulation, and languid liberty assumed an
aspect,

with expectation, and cheerful hope; the merchant pictured to himself the splendor of enriching wealth, and in the plenitude of fancied aerial systems for accruing gain; even public nobility rejoiced, and viewed augmented coffers flowing to its hoard from heightened rents.—When lo! virtue is no more!—Resolution shrunk!—Unanimity was dissolute! and liberty was surrendered!—The sun of expectancy was eclipsed in its meridian splendor! and NIGHT succeeds to darken every ray.

If, my countrymen, I have shewn *your* your situation; if ye know it, I am happy!—Your prudence hath already dispelled you—she hath left you the same resources.

Whoever hath perused the history of antient Greece, must find himself uncommonly concerned at contemplating her fate. *Athens presumed to dictate for the nation!—rivalship ensued!—and the dismembered confederacy became the feeble prey of an artful tyrant.*

FINIS.